

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK----- x  
MARY SMITH, as Administrator of the Estate of  
Terrence Smith, and MARY SMITH,  
individually,

Plaintiff,

v.

UNITED STATES OF AMERICA, YOUNG SIK  
KHO, MD, DINESH K. GARG, MD,

Defendants.

----- x  
Pursuant to Fed. R. Civ. P. 16(b), it is hereby ordered that:

1. Factual discovery shall be completed no later than November 15, 2008.
2. Expert reports with respect to any experts retained by Plaintiffs shall be completed and served by December 15, 2008.
3. Expert reports with respect to any experts retained by Defendants shall be completed and served by January 15, 2009.
4. Any rebuttal expert reports shall be completed and served by February 1, 2009.
5. All discovery shall be completed no later than February 13, 2009. Interim deadlines may be extended by the parties on consent without application to the Court, provided the parties believe they can still meet the discovery completion date ordered by the Court.
6. Motions, if any, shall be filed by February 28, 2009.
7. All motions and applications shall be governed by the Court's Individual Rules of Practice.

8. *Joint Pre-Trial Order is due March 20, 2009, or 3 weeks after conclusion of the dispositive motions, whichever is later.*

DATED: New York, New York  
July 14, 2008

9. Ready for Trial on  
48 hours notice on April 3, 2009, or 4 weeks after conclusion of the dispositive motions,  
whichever is later.

*6/2008*

HONORABLE JOHN G. KOELTL  
United States District Court Judge

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08 Civ. 3836 (JGK)

**SCHEDULING ORDER**